



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

**WASHINGTON STATE BOARD OF PHARMACY
MEETING MINUTES**

January 24, 2008

CenterPoint Corporate Park Corporate Center
20809 72nd Ave South (Conference Room)
Kent, Washington 98032
Board Office: (360) 236-4825

CONVENE

Chair Rebecca Hille called the meeting to order at 9:07 a.m. on January 24, 2008.

Board Members present:

George Roe, RPh
Rosemarie Duffy, RN – Public Member
Susan Teil-Boyer, RPh
Vandana Slatter, PharmD

Board Members absent:

Gary Harris, RPh, Vice-Chair
Dan Connolly, RPh

Staff Members present:

Steven Saxe, Executive Director (Acting)
Lisa Salmi, Executive Manager
Joyce Roper, AAG Advisor
Kristi Weeks, Staff Attorney
Grant Chester, Chief Investigator
Richard Morrison, Pharmacist Investigator
Tim Fuller, Pharmacist Consultant
Cathy Williams, Pharmacist Consultant
Doreen Beebe, Program Manager

Guests/Presenters

Linda Furkay, Patient Safety Adverse
Event Quality Specialist
Casey Lirot, UW Pharmacy Extern
Robert Cordier, CEO Bates Pharmacy
Kevin Slivers, RPh – Bates Pharmacy
Louie Foster, DocuTrack - Product Mgr
Ken Culver, PharmD – Crescent PharmD
Dr. Thomas Hazlet, University of Washington

UW PharmD Students:

Ellen Smith	Shannon Duke
Abby Frye	Gina Park
Brandon Chrisopulos	Curt Geier
Ryan Bolonesi	Leah Lopez
Christine Brooks	Michelle Gouker
Edward Osei	Sean Akamine
Jennifer Chow	Paul Choi
Joey Chase	
Charles Huckabay	

Mission Statement

The mission of the Board of Pharmacy is to achieve the highest standards in the practice of pharmacy, to promote public health and safety and effectively communicate with the Governor, Legislature, the Department of Health, the public and profession.

Vision Statement

The Washington State Board of Pharmacy leads in creating a climate for the patient-focused practice of pharmacy.

Pharmacists inform, educate, consult, manage drug therapy and provide products as an integral part of an accessible, quality –based health care system.

As an outcome, the citizens of Washington State:

- Are well informed about medications;
- Take responsibility for their health;
- Utilize pharmacists and other health care providers appropriately; and
- Experience the highest level of health and wellness.

Special Announcement:

Madame Chair Hille presented Susan Teil-Boyer with a plaque in recognition of her hard work and active participation on the Washington Board of Pharmacy. The award honors her contributions and dedication to the citizens of this state and the pharmacy profession through her devoted service as a member board. March 23, 2000 through January 25, 2008.

CONSENT AGENDA

- 1.2** Pharmacist License Application Approval
 - 1. Micah Rydman – Nuclear Pharmacist
 - 2. Michael Chee – Nuclear Pharmacist
 - 3. Mary Johnson – Nuclear Pharmacist
- 1.2** Pharmacy & Other Firm Application Approval
 - New and Closed Pharmaceutical Firms 11/16/2007 – 12/31/2007
- 1.4** Pharmacy Tech Training Program Approval
 - 1. Elsie Grant – Apollo College in Albuquerque NM
 - 2. Nigist Asfaw – Century Community and Technical College in White Bear Lake, MI
 - 3. Raheela Rasheed - University of Karachi in Pakistan
- 1.5** Collaborative Drug Therapy Agreement Acceptance
 - 1. Becky Bauer – Community Health Center – Refills
 - 2. Various Pharmacists– Legacy Salmon Creek Hospital – Renal Dosing
 - 3. Various Pharmacists – Reliant Rx of Washington – Anticoagulation
 - 4. Various Pharmacists – Community Health Association of Spokane – Anticoagulation
 - 5. Dave Morio – Fife Pharmacy & Gifts – Emergency Maintenance Medications
- 1.6** Automated Drug Dispensing Device Acceptance
 - 1. Kadlee Medical Center
 - 2. North Star Lodge Pharmacy – North Star Lodge Cancer Center
- 1.8** Board Minute Approval – December 14, 2007

Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Board without separate discussion. Items 1.3, and 1.7 have been deleted from the agenda. **MOTION:** George Roe moved that the Board approve items 1.1, 1.2, 1.4, 1.5, 1.6 and 1.8 from the consent agenda. Susan Teil-Boyer second. **MOTION CARRIED.** 4-0.

REPORTS

Executive Manager

Lisa Salmi reported:

- Health System Quality Assurance Division restructure workgroups continue to meet weekly. Grant Chester is a member of the Investigation and Inspection Workgroup. Ms. Salmi participates on the Health Professions and Facilities Workgroup.
- Gary Harris and staff responded to a request for comments from the Federal Drug Administration regarding “behind the counter class of drugs.”
- The 60th Legislative Session convened on January 14. The session is scheduled to end on March 13.
- Governor Gregoire announced she has included funding for the prescription-monitoring program (PMP) in her budget proposal. We will also be applying for the Bureau of Justice PMP Implementation Grant. The deadline for submission is February 14.
- The new Integrated Licensing and Regulatory System (ILRS) is on schedule for implementation on February 19.

Board Members

Susan Teil-Boyer reported:

- The Joint Commission on Accreditation of Hospitals has changed its name to the Joint Commission. The commission is emphasizing new national patient safety goals focusing on high-risk drug categories, and how hospitals are minimizing risks to patients.
- American Society of Health-System Pharmacist will be meeting June 8 – 11 in Seattle.

Chair Rebecca Hille reported:

- Attending “meet me calls” reviewing proposed legislation that crosses multiple health professions. Representatives from several professions participate on these weekly conference calls.
- Will meet with the Washington State University Dean of Pharmacy next week to discuss board activities.

Assistant Attorney General

Joyce Roper reported:

- Attorney General’s office has filed a motion for a stay with the district court to stay the preliminary injunction and proceedings in the Storman’s case. The plaintiffs have filed a motion to modify the preliminary injunction. The plaintiffs agree that the preliminary injunction was written too broad and should apply only to the plaintiffs; and the pharmacists named in the case. They also seek to include the pharmacists’ employers who remain unnamed.

In the motion to modify, the plaintiffs also requests that the judge clarify that the injunction is not limited to the anti-discrimination clauses in the pharmacist and pharmacies responsibilities rules.

We filed our opposition to the inclusion of unnamed plaintiffs and the motion to modify the provision of the injunction to apply to all aspects of the rule. Modification of the provisions of the injunction would be inappropriate since the case is on appeal.

Motions have been scheduled for argument on February 15 at 9a.m. in the Tacoma District Court. Arguments will address the motion to stay and motion to modify preliminary injunction.

Consultant Pharmacists

Tim Fuller reported:

- Casey Lirot, University of Washington Pharmacy School Extern
- Involved in emergency response program setting up cache of anti-viral drugs.
- Assisted with the Nursing Care Quality Assurance Commission interview process to fill the Nurse Practice Advisor position.

Chief Investigator

Grant Chester reported:

- Investigator Tyler Varnum has completed the Department of Health basic investigator course and will begin conducting investigations.
- Grace Cheung, Kristi Weeks and Mr. Chester, with the assistance of Casey Lirot, finalizing medication error sanction guideline for presentation to the board.
- Cathy Williams is up-to-date on reviews and approvals of continuing education programs, ancillary personnel utilization requests and renewal of technician training programs.
- Tim Fuller is up-to-date on collaborative agreements and is working on electronic prescription transfer applications.
- Interviews are completed for both investigator vacancies. Employment offers have been submitted to the Human Resources office for approval.
- Investigations and inspection data for November and December 2007.

Program Manager

Doreen Beebe reported:

- Pharmaceutical Services in Correctional Industries rule stakeholder meeting held on January 15. First meeting looking at pharmaceutical practices in correction facilities without pharmacies.
- Conducting interviews on January 17 for clerical board support position.
- Washington State Pharmacy Association meeting October 25 – location has not been determined. *Rod Shafer*, CEO of the WSPA extended an invitation to the board to attend the June Tri-State meeting in Coeur d'Alene, Idaho.
- Updated the board on the top four rule priorities:
 - Pharmacy Technician National Standardized Exam – Working on small business economic impact statement (SBEIS). We will be evaluating board-approved programs in areas of training and examinations to determine whether there are deficiencies. And estimating costs associated with possible program revisions needed to prepare pharmacy technician applicants to successfully complete a national examination. Rosemarie Duffy volunteered as board sponsor. Plan to schedule hearing this summer.

- *Tim Fuller* provided updates:
 - Working on re-writing the SBEIS regarding draft rules on Extended Care Facilities – Controlled Substances.
 - Assessing whether we have adequate scientific data to determine if we have enough information to support the rescheduling of SOMA. Tim Fuller assigned as staff lead.

DISCUSSION

2008 Legislative Session Update.

Lisa Salmi updated the board on several bill proposed by the legislature.

HB 2583 – Refilling Prescriptions in Emergencies – requires health plans to waiver refill time limits and authorizes payment to pharmacies for at least 30-day supply if certain conditions exist. Legislation does not seem to cover controlled substances. Referred to committee.

HB 2659 – Prescription Drug Marketing and Disclosure Act – Pharmaceutical manufacturers must report/disclose to the Board of Pharmacy information on each gift, fee, or payment made to recipients in the state. The board will be required to report annually to the governor and legislature. This bill requires rule making. Referred to committee. HB2659 – similar bill.

HB 2664 – Prescription Privacy & Integrity Act – Prohibits the sale of prescriber identifiable prescription data. Penalties may be assessed up to \$50,000 for non-compliance. SB6241 bill requires the Department of Health to establish an integrity program, which allows prescribers to give permission allowing their information to be released/sold. DOH would update and make the list available.

HB 2694 – Prescription Drug Evidence-Based Education Act – Requires the Health Care Authority in consultation with others named in the bill to develop a prescription education program providing information and education using evidence based materials.

SB 6189 – Requires pharmacy owners to file an annual declaration of compliance stating the pharmacy is complying with its duty to dispense lawfully prescribed drugs and meet the pharmaceutical need of its patients. The bill requires pharmacies to facilitate delivery of the drug by filling or confirming referral to another pharmacy. The Board of Pharmacy can grant exception based on the nature and needs of the population served by the pharmacy. Rules regarding exceptions are required by January 2009.

SB 6361 – Recognizes pharmacists and pharmacies’ right of conscience objection. Pharmacies must provide written notice of services it provides. The Board of Pharmacy must establish a mechanism to recognize the rights of pharmacies and pharmacists to exercise religious beliefs and to ensure patients have timely access to services. Extends the right of conscience to a business.

SB 6519 – Duty of Pharmacies to Facilitate the Delivery of Lawfully Prescribed Drugs/Devices – Pharmacies have a duty to facilitate delivery by dispensing, guarantee access by referring to a pharmacy or medical provider that can dispense, return unfilled prescription if patient or caregiver objects to the referral. Bill includes exceptions when a pharmacy may not be able to deliver drugs in a timely manner.

HB 2691 – Referral of patients by health care providers – Prohibits health care providers from referring patients to other providers, services of facilities in which the referring provider or an immediate family member has a financial interest unless the interest is disclosed. The bill includes exceptions. Violations are a misdemeanor and may be disciplined as unprofessional conduct.

HB 2721 – Adopting model rules for public agencies under the public meetings act – Requires the attorney general to adopt rules.

HB 3292 – Recording executive sessions under the open public meetings act. To determine if executive session is held appropriately.

HB 2883 – Governor request legislation. Amends the Uniform Disciplinary Act. 1) changes the process for denying applications; 2) creates a citation and fine for disclosure of documents in response to investigative requests; 3) restores criminal justice agency status to the Department of Health staff to access non-conviction data and allows national criminal background checks; 4) expands the list of crimes to be reported to the department; 5) allows permanent revocation in certain cases. This bill is tied to recommendations made in the performance audit of Health Professions Quality Assurance Office.

HB 2907 – Operating agreements between the secretary of health and health care licensing and disciplinary boards. Modifies operating agreements. The bill also gives boards and commissions the authority to select and hire its executive director. Allows boards and commissions to adopt independent administrative procedural rules.

HB 2600 & 3064 – Stewardship bill. – Creates a producer managed and funded product stewardship program to collect and dispose of unwanted residential drugs. Department's concerns relate to increase workload with no funding.

SH 6360 – Establishes a task force chaired with bi partisan leadership appointed by the governor. The task force will address primary care physician recruitment and retention strategies.

Board was briefed on the impact of Initiative 690 on proposed legislation. I690 passed last year requires all fee increases to be approved by the legislature. All bill proposals for fee increases require a 10-year study to estimate total costs. In the future fees will be adopted in law (RCW) not rule (WAC).

First legislative cut-off - February 8

Continuing Education Credits for Board Meeting Attendance.

From the 2007, planning session the board discussed an interest in adopting a new procedure for approval of continuing education credits for board meeting attendance. The procedures were drafted in consultation with board members Dan Connolly and George Roe.

The board acknowledges its confidence in providers approved by the American Council on Pharmaceutical Education but at the same time recognizes the value of attendance and participation in board meetings.

MOTION: Rosemarie Duffy moved that the board approve continuing education credits of 1.5 contact hours (.15 CEU's) for half day and 3.0 contact hours (.3 CEU's) for a full-day board meeting attendance and participation. A maximum of 3.0 contact hours (.3 CEU's) may be earned per renewal period. Dr. Vandana Slatter second. **MOTION CARRIED.** 4-0.

The draft procedure will be amended as moved and an attendance log will be created and maintained for four years. Notices of the new procedure will be posted to the web, April newsletter and distributed via listserv.

Multi-state Pharmacy Jurisprudence Examination (MPJE) State-Specific Annual Review Meeting

Pharmacist Investigator Dick Morrison briefed the board on his participation in the MPJE program review. Eight-two representatives attended the meeting from 40 member states. The review consists of a reviewing questions content, appropriateness, compliance with federal laws, if products mentioned were still available, punctuation, grammar, and the question's defensibility.

Statistics

- Reviewed 1,754 questions in the existing pool - 1,643 items are used in the pool to calculate the candidate's exam score.
- Sixty-nine items make up the pretest and do not affect the candidate's test score.
- Fifty-two items were deleted – seven may be reused if suggested changes are made.
- Reviewed approximately 1,000 new questions and selected 179 for use in the Washington exam question pool.
- After the review was completed, the current pool consists of 1,881 questions.

National Association of Boards of Pharmacy's 104th Annual Meeting

ACTION: Rosemarie Duffy moved that the board name Steven Saxe official voting delegate and Rosemarie Duffy alternate for attendance at the NABP meeting on May 17 – 20, 2008. Susan Teil-Boyer second. **MOTION CARRIED.** 4-0.

University of Utah School on Alcoholism and Other Drug Dependencies

Due to budgetary restraints, the board amends its earlier decision and selects only one board member (Dan Connolly) and Pharmacist Investigator Tyler Varnum to attend the University of Utah School on Alcoholism and Other Drug Dependencies in June 2008.

ACPE Evaluation of WSU Doctor of Pharmacy Program

MOTION: Rosemarie Duffy nominates George Roe to represent the Washington Board of Pharmacy as observer during the Accreditation Council for Pharmacy Education's (ACPE) accreditation site visit of the Washington State University School of Pharmacy. Susan Teil-Boyer second. **MOTION CARRIED.** 4 – 0.

PRESENTATIONS

Washington Patient Safety Coalition.

Acting Executive Director Steven Saxe provide background on how many of the issues addressed in the legislation passed in 2006 regarding patient safety and adverse events and incident reporting may be applicable to the board's discussions around quality improvement programs. He then introduced Linda Furkay, the Patient safety Adverse Event Quality Specialist. Dr. Furkay is a registered nurse by profession and holds a PhD.

Dr. Furkay provided an overview of the legislation codified at RCW 70.56.

- Adverse events are defined by the Nation Quality Forum. Washington law requires that acute and psychiatric hospitals, childbirth centers, Department of Correction's medical facilities, and beginning in 2009 ambulatory surgery centers, report adverse events and the subsequent root cause analysis of that event to the Department of Health.
- Quality Choir, formed in the summer of 2007 includes:
 - Agency for Health Research and Quality (AHRQ)
 - The Joint Commission
 - Centers for Medicaid and Medicare (CMS)
 - Institute for Healthcare Improvement
 - Leapfrog Group
 - National Quality Forum (NQF)

- Washington is one of 27 states with mandatory reporting. Reporting is voluntary in Oregon.
- The law requires an independent entity to collect adverse event reports.
- Implemented an 800 number for facilities to report events.
- Quality Improvement activity – Facilities are required to report and produce a root cause analysis. Information used to provide consultation and site visit. Information is not shared with the investigative team. Program will be part of the Community Health Services section.
- 2007 Serious Reportable Events – majority of reports relate to pressure ulcers.
- Reports from 46 of 93 hospitals.
- Information non-disclosable –not necessarily important to identify which facility had an error, but what they did to ensure it doesn't happen again.

The Board adjourned at 11:50 a.m. and reconvened at 12:45 p.m.

PRESENTATIONS Cont'd

Remote Order Entry proposal by Capstone Health Group

Tim Fuller provided background on Capstone Health Group, Inc. and introduced Ken Culver, PharmD to present its proposal to the board.

Capstone Health Group, Inc. doing business as Crescent PharmD is a licensed California pharmacy requesting licensure in Washington. The pharmacy does not stock or dispense medications, but provides real time remote services to acute care hospitals. Crescent PharmD provides various hours of coverage to assist hospitals in managing medication practices when a pharmacist is not on site. The remote services provides hospitals with trained clinical pharmacist to review medication orders and all prescriptions for appropriateness before the medication is administered to the patient – standards established by the Joint Commission (Medication Management 4.10).

Highlights:

- Hospital Point of Care System – Electronic Medication Administration Records (e-MAR)
- Security – HIPPA compliant – encrypted link; firewalls; password access; audit and tracking mechanism.
- Communication – Medication orders are transmitted fax or digital imaging system by a hospital nurse. Each hospital has a dedicated workstation, fax, and phone number.
- Medication orders screened - drug interactions; allergies; compliance with hospital policies and procedures.
- Quality Assurance – collect statistics – remote order entry volumes; track medication errors, interventions (avoidance of adverse drug event) and assess for system issues or individual pharmacist issues; trend and track for regulatory compliance.
- Continuous performance improvement
- Medication reconciliation/verification
- Pharmacy Information System – acknowledges whether a patient is active or inactive (e.g. discharged)

If approved Capstone Health Group, Inc. will obtain Washington licensure for non-resident pharmacies and pharmacists providing services to Washington locations.

ACTION: Susan Teil-Boyer asked staff to develop remote order entry guidelines specific to hospital practices. The current board approved *Remote Processing of Medication Orders Guidelines* are written specifically for retail practices.

MOTION: Susan Teil-Boyer moved that the board approve the proposal from Capstone Health Care, dba Crescent PharmD, and require all pharmacists processing orders for hospitals in Washington State are licensed in this state. **MOTION CARRIED.** 4-0.

DocuTrack Electronic Prescription System.

Bob Cordier of Bates Pharmacy presents a proposal to use DocuTrack, an electronic prescription system used for recordkeeping, prescription file storage and communication with providers.

Product Manager, Louie Foster provided an overview of the DocuTrack system.

Highlights

- Stores document image.
- Interfaces with the pharmacy system.
- Automatic caller identification on faxed documents – reducing fax spoofing.
- Standardize and track workflows.
- Images can be enlarged to help reduce transcription errors.
- Capable of linking documents to the DocuTrack image.
- Ability to add notes and annotations to the document without altering the original image.
- Notes/annotations added may not be removed once the document is saved in DocuTrack.
- No documents can be deleted from the system once saved. Documents can be archived saving all related attachments and notes/annotations. Document history and audit trail details who, what, and when all actions were taken on the document.
- Documents may be retrieved based on various criteria – date, time, and any associated data via DocuTrack or the pharmacy system.

MOTION: Rosemarie Duffy moved that the board approve the use of the DocuTrack system. Electronic storage of prescriptions are approved if they are in compliance with patient medication record systems and are readily retrievable by the board, or its agent for inspection. Dr. Vandana Slatter second. **MOTION CARRIED.** 4-0.

NOTE: This does not authorize destruction of the “hard copy” of the prescription. Prescriptions received in “hard copy” may be scanned and processed digitally, but the original document (hard copy) must be retained for a minimum of two years pursuant to all federal and state laws and rules. Pharmacies using DocuTrack must implement a safe method for storage and backup for electronic information.

University of Washington – Pharmacy Students’ Law Presentation.

Dr. Thomas Hazlet, Assistant Professor of Pharmacy at the University of Washington provided introductions.

Students presented on the following pharmacy law related topics. The presentation included summarizing existing laws; discussed basis for proposed changes; evaluated alternatives; research/evidence gathered; stakeholder input; and the conclusions they developed from their study.

1. Out-of-State Prescribing Authority for Physician Assistants and Nurse Practitioners
2. Notation of Purpose
3. Can We Fix Illegible Prescriptions?
4. Defining a Sixty-Day Supply for Medical Marijuana

The Board extended its appreciation to the students for presenting their law study projects.

OPEN FORUM

Madame Chair shared an email she received regarding concerns about a recent proposal to the board requesting to increase the pharmacist to pharmacy technician ratio to 1:5. The author, K. Douglas Crafton, was opposed to the proposal when the ratio included off-site pharmacists.

PRESENTATION OF AGREED ORDERS

Business Meeting Adjourned

There being no further business, the Board adjourned at 4:00 p.m. The Board of Pharmacy will meet again on March 5, 2008 for its planning session and March 6 for its regularly scheduled business meeting in Tumwater, Washington.

CLOSED SESSION - Case Presentations.

Respectfully Submitted by:

Doreen Beebe, Program Manager

Approved on March 6, 2008

Rebecca Hille, Chair
Washington State Board of Pharmacy